

PATENT  
Attorney Docket No. 1459

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	Linebarger et al.	Examiner	Payne, David C.
Serial No.	09/784,517	Group Art No.	2633
Filed	February 15, 2001	Confirmation No.	3317
For	System and Method for Transmitting Signals Over a Fiber Strand		

Mail Stop Non-Fee Amendment  
Commissioner For Patents  
P.O. Box 1450 Alexandria, VA 22313-1450

Declaration  
Under 37 C.F.R. § 1.131

I, Kevin D. Robb, declare as follows.

1. I am the Intellectual Property Attorney for Sprint Communications Company L.P. ("Sprint"), and I am authorized to sign this Declaration, and to act, on behalf of Sprint. 37 C.F.R. § 3.73(b)(2)(i).
2. Sprint owns the entire right, title, and interest in and to U.S. Patent Application No. 09/784,517, filed on February 15, 2001 (the "Application"). The assignment from the named inventors to Sprint is recorded at reel 011602, frame 0543.
3. The claims in the Application were rejected in an Office action dated November 20, 2003, in which the following references were cited: U.S. Patent Pub. No. US 2001/0030785, filed by Pangrac et al. on December 22, 2000, and published October 18, 2001 ("Pangrac"), and U.S. Patent No. 6,519,062 B1, filed on September 1, 2000, taking priority to Provisional Application No. 60/185,640, filed on February 29, 2000, and issued to Yoo on February 11, 2003 ("Yoo").
4. This declaration is being presented under 37 C.F.R. § 1.131 to establish invention prior to the effective date of Pangrac (December 22, 2000) or conception of the invention prior to the effective date of Pangrac (December 22, 2000) coupled with due diligence prior to that date to a subsequent reduction to practice or to the filing of this Application.
5. This declaration also is being presented under 37 C.F.R. § 1.131 to establish invention prior to the effective date of Yoo (February 29, 2000) or conception of the invention

Declaration of Assignee under 37 C.F.R. § 1.131

Page 1 of 2

CC 1270844v1

prior to the effective date of Yoo (February 29, 2000) coupled with due diligence prior to that date to a subsequent reduction to practice or to the filing of this Application.

6. Attached hereto as Exhibit A (10 pages) is an Invention Disclosure Form ("IDF") for a system and method for transmitting signals over a fiber strand (with some portions redacted). The IDF was completed by at least one named inventor and submitted to the Sprint Law Department on February 17, 2000, as noted on page 1 of the IDF. The IDF was signed by a witness on February 17, 2000, as noted on page 6 of the IDF.

7. A complete conception and reduction to practice of at least one embodiment of a system and method for transmitting signals over a fiber strand is identified in the IDF and the document attached to, and forming a part of, the IDF. Therefore, a complete reduction to practice of at least one embodiment of a system and method for transmitting signals over a fiber strand was made at least as early as February 17, 2000.

8. From February 17, 2000 through February 15, 2001, the inventors worked on preparing and finalizing materials for the Application. The Application was filed on February 15, 2001.

9. All acts relied on were carried out within the United States.

10. Fewer than all inventors are making this Declaration because the remaining inventor, John W. Linebarger, is deceased.

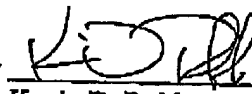
I/we hereby declare that all statements made herein of my/our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Respectfully Submitted,

Date

2/20/04

By



Kevin D. Robb

Declaration of Assignee under 37 C.F.R. § 1.131

Page 2 of 2

CC.1270844v1



**INVENTION DISCLOSURE FORM**

Date: February 17, 2000

Assigned Numbers: Project No. \_\_\_\_\_

Invention Disclosure No. \_\_\_\_\_

Law Department File No. 1459

Outside Patent Counsel Docket No. \_\_\_\_\_

Title of Invention: MIXED OPTICAL PLATFORM (MOP)

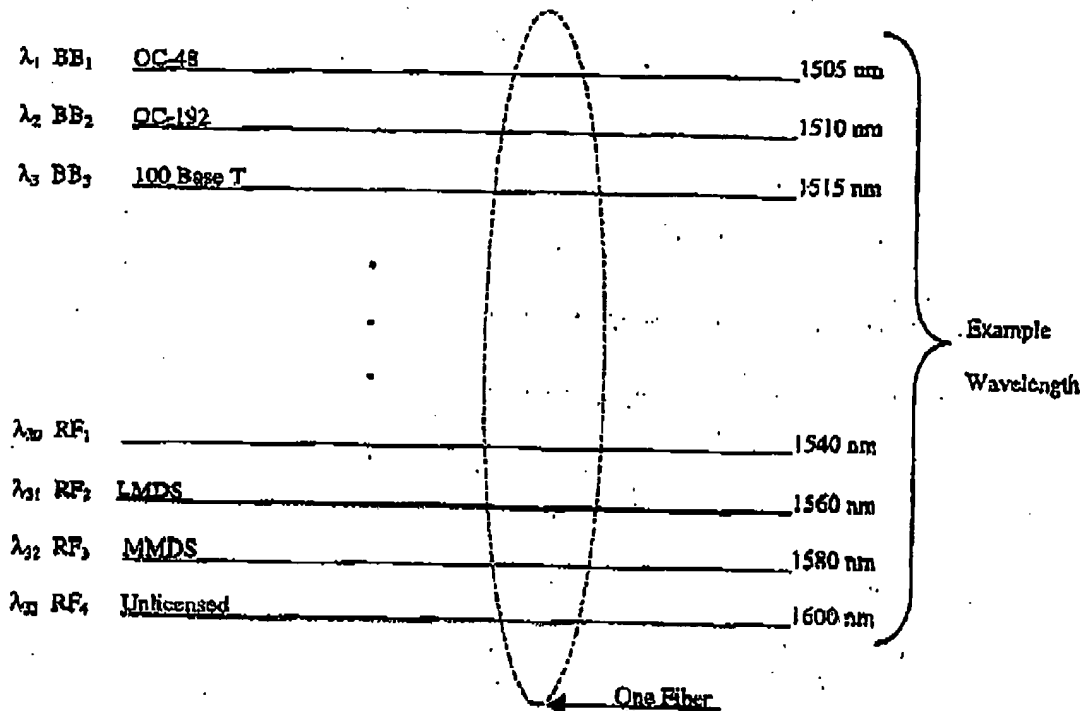


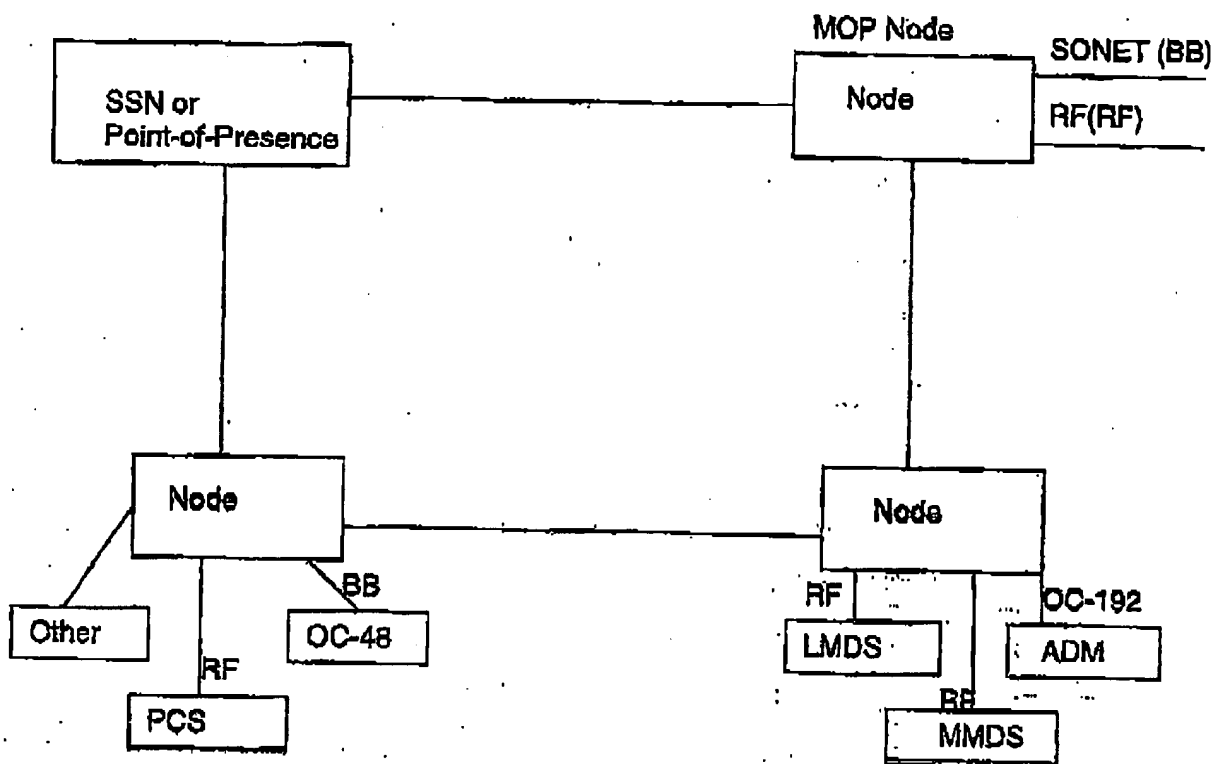
Modern DWDM systems utilize upwards of 48 wavelengths. We believe that individual strands of fiber with x number of wavelengths can accommodate a mixed data/RF profile.

BB = Baseband Data  
RF = Radio Signals

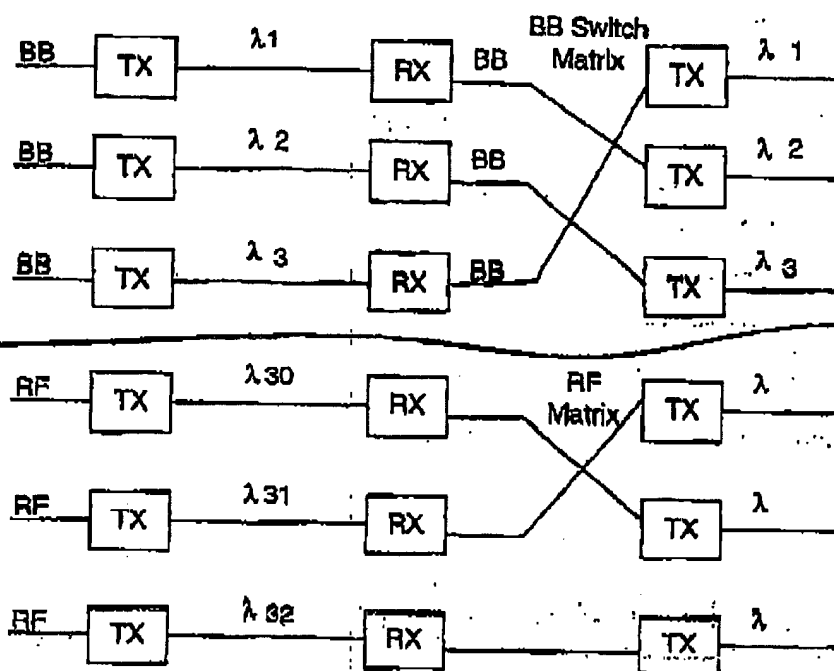


Optical Wavelengths  
(Shown in single optical strand)





NETWORK EXAMPLE



CONCEPT CROSS CONNECT



Reviewed and understood by:

Name:

Tom L. Holmes

Signature:

Tom L. Holmes

Date:

2/17/04



SPRINT

Invention Disclosure for: Mixed Optical Platform

John W. Linbarger  
SPRINT CORPORATION  
OVERLAND PARK, KS

"MOP"

## Forward —

Dense Wave Division Multiplex (DWDM) systems use individual optical wavelengths otherwise known as lamdas to provide a unique pathway over optical strands. The typically application for this technology is to increase capacity or segregate traffic in a data network. This network may be world wide, nationwide or local to a city like setting. The typical application widely used by data/telecomms is to transport data/telephony from point to point. Other applications in the CATV industry use these methods for transport of RF signals in a local area.

## IDEA —

Modern DWDM systems utilize upwards of 48 wavelengths. We believe that individual strands of fiber with X number of wavelengths can accommodate a mixed data/RF profile.

Therefore, the usage of such a system would appear as below:

BB = BASEBAND DATA I.E. OC-48, OC-192, 10/100 BASE-T

RF = Radio Signals I.E. ———— LMDS, MMDS, Unlicensed Bands

50 SHEETS  
100 SHEETS  
200 SHEETS

22-141  
22-142  
22-144



John Linebarger

MOP CONCEPT

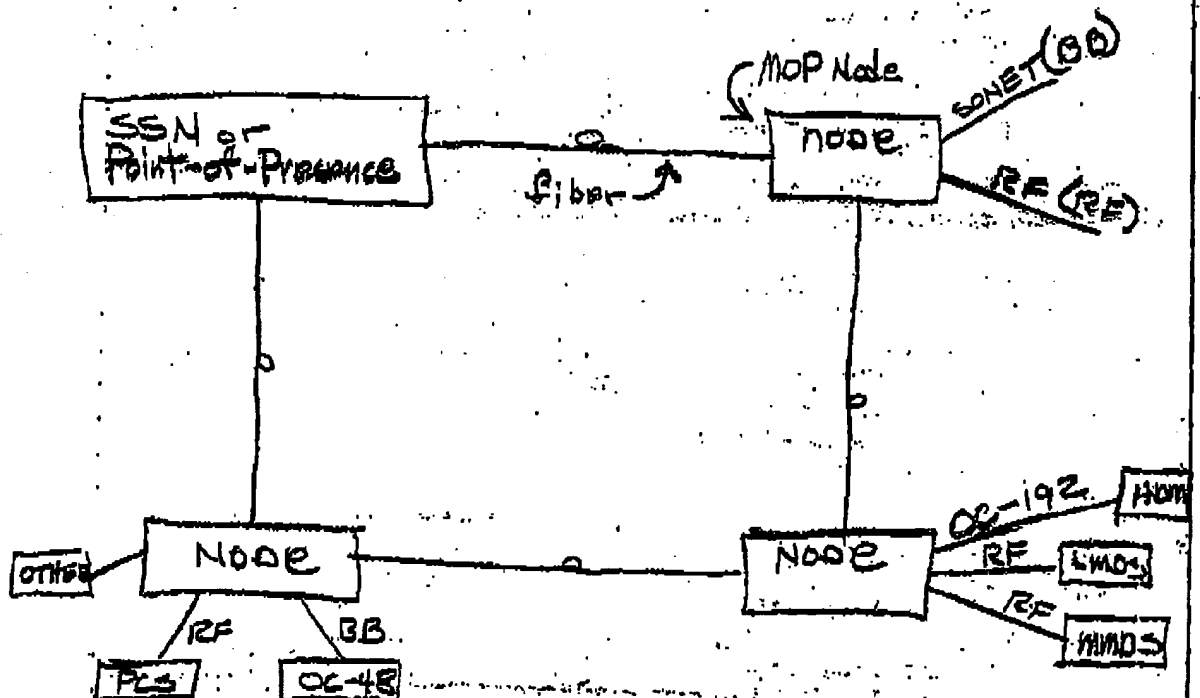
OPTICAL WAVELENGTHS  
(shown in single optical STRAND)

$\lambda_1$	BB1	OC-48	1505 nm
$\lambda_2$	BB2	OC-192	1510 nm
$\lambda_3$	BB3	100 BASE-T	1515 nm
$\lambda_{30}$	RF1		1540 nm
$\lambda_{31}$	RF2	LMDS	1560 "
$\lambda_{32}$	RF3	MMDS	1580 "
$\lambda_{33}$	RF4	UNLICENSED	1600 "

Example  
Wavelengths

ONE FIBER

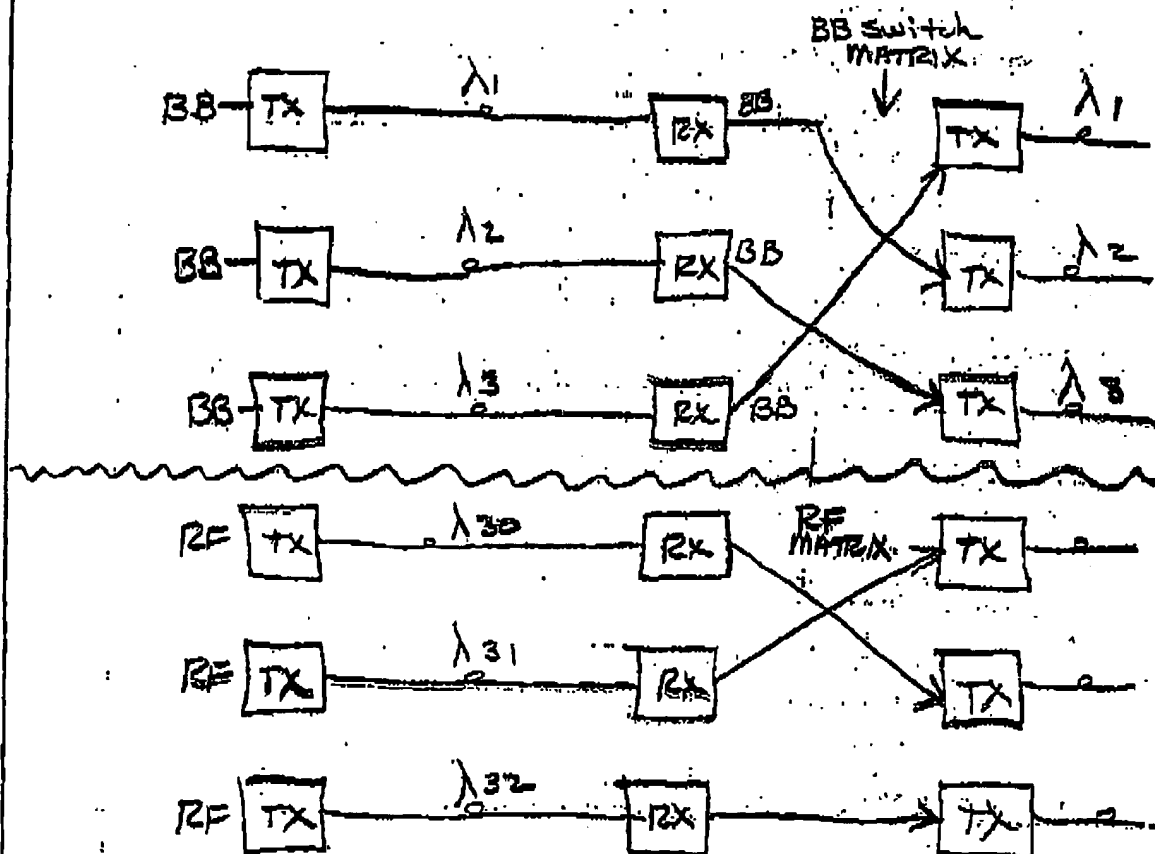
## NETWORK EXAMPLE:



John Linbarger | MOP Concept

22-141 50 SHEETS  
22-142 100 SHEETS  
22-144 200 SHEETS

THE CROSS CONNECT WOULD APPEAR AS BELOW:



IDEA:

TAKE A DWDM OPTICAL PLATFORM & PROVISION PART OF THE WAVELENGTHS for use by RF services, in an RF domain AS FOUND in HFC.

- AND - use the OTHER WAVELENGTHS FOR TRADITIONAL Baseband services such AS SONET, ethernet, ASYNC TYPE SERVICES.

